IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSASCHUSETTS

R & P SEAFOOD/SHELLFISH, INC., and, FOUR SEAS, INC.

Plaintiffs,

V

CIVIL ACTION NO. 05-cv-10420-MLW

KENNEBUNK SAVINGS BANK,

Defendant.

ASSENTED TO MOTION TO CONTINUE HEARING

Now comes the Plaintiffs in the above action who hereby move this Court to continue the hearing scheduled for October 5, 2005 to November 4, 2005.

In support of this Motion, Plaintiff states that their counsel will be unavailable on October 5, 2005 as it is a Jewish holiday and all parties assent to this motion and no prejudice will result.

RESPECTFULLY SUBMITTED, R&P Seafood/Shellfish, Inc. and Four Seas, Inc. By their attorneys, Antico, Barrett, Burke & Kornitsky LLP ASSENTED TO: Kennebunk Savings Bank By its attorneys, Thompson & Bowie

/s/ Mark D. Kornitsky, Esq. Marc D. Kornitsky, Esq. One Essex Green Drive Peabody, MA 01960 (978) 532-5140 /s/ Lisa F. Bendetson, Esq. Lisa F. Bendetson, Esq. Three Canal Plaza Portland, ME 04112-4630 (207) 774-2500